

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

JOHN NOAKES

Plaintiff,

v.

CASE WESTERN RESERVE
UNIVERSITY, ET AL

Defendants

Case No. **1:21-cv-01776**

Judge:

AFFIDAVIT OF [REDACTED].

1. I am a medical student at the Case Western Reserve University School of Medicine. I am a classmate of John Noakes. (I am using his pseudonym to avoid further embarrassment and damage to his reputation). As a student, I am requesting that counsel redact my name before filing because I fear retaliation and harassment by both administrators at CWRU and fellow students.
2. I am familiar with the allegations surrounding John Noakes. I am aware CWRU investigated allegations that John Noakes committed sexual misconduct against another medical student in fall 2020. John Noakes was cleared of all charges.
3. After John Noakes was cleared of all charges, he posted a comment on a GroupMe chat used by medical students. Some students, and some administrators, claimed that this post was harassing. It was not; it did not mention the other student by name, but just quoted the bible. I am not aware of any CWRU policy or rule that this post violated. Students and administrators seem to have used this post as a pretext for a retaliatory campaign of intimidation and harassment against John Doe.
4. Many students and administrators were unhappy with the outcome clearing John Noakes. In my experience, CWRU administrators are sensitive to allegations of sexual assault and sexual

harassment on campus. They want to “believe victims.” As a woman, I, too, believe that it is important to believe victims. But I, along with other students, now fear that the admirable desire to “believe victims” has led some at CWRU to refuse to respect the result of the Title IX process. The fact that John Noakes was subjected to investigations and disciplinary action by the Medical School’s Committee on Students (“COS”) as a result of the GroupMe post has served to discourage other students from criticizing the CWRU Title IX process or speaking out on the issue of how CWRU responds to allegations of sexual assault on campus.

5. John Noakes has been excluded from group projects and students have taken other actions to try to make it difficult for John Noakes to remain in school. I believe that these efforts have the tacit support of CWRU administrators; I have not seen any effort by CWRU administrators to try to stop this exclusion.
6. John Noakes told me that CWRU administrators told John Noakes to “watch himself,” tried to coerce him to take a year off, and threatened him if he pursued Title IX complaints against fellow students or retaliation complaints against administrators. I was told that one assistant dean told John Noakes, “You’re digging yourself a hole, honey” and “I can’t protect you.” I, and other students, interpret these statements as threats to stay quiet about Title IX issues or face severe consequences. This has had a significant chilling effect on student speech; students are scared to speak out publicly in support of John Noakes.

7. A review by the COS can have a significant adverse impact on the career of a medical student. Few students are likely to risk doing anything that might result in a review by the COS, as such a review could result in adverse sanctions ranging from counseling to expulsion. The COS process risks damaging a student's chances to obtain a residency through the match program following medical school. As a result, the threat of being forced to appear before the COS is likely to deter other CWRU students from complaining about the CWRU Title IX process, defending themselves in a Title IX process, or challenging retaliatory actions.

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of September 2021.

[REDACTED]

7. A review by the COS can have a significant adverse impact on the career of a medical student. Few students are likely to risk doing anything that might result in a review by the COS, as such a review could result in adverse sanctions ranging from counseling to expulsion. The COS process risks damaging a student's chances to obtain a residency through the match program following medical school. As a result, the threat of being forced to appear before the COS is likely to deter other CWRU students from complaining about the CWRU Title IX process, defending themselves in a Title IX process, or challenging retaliatory actions.

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of September 2021.

A black rectangular box with a white 'X' drawn across it from corner to corner, indicating that the signature has been redacted.

[REDACTED]